

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

8 OCT 15 2011

SENATE
P. S. R. No: 720

RECEIVED BY: JS

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE ALLEGED PRACTICE OF KILLING
SACRIFICIAL LAMB SUSPECTS BY LAW ENFORCERS TO IMMEDIATELY
CLOSE A CASE DESPITE CONTENTION BY THE VICTIM'S FAMILY AND
OTHER WITNESSES

WHEREAS, the Constitution, Article 2, Section 5 states "The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

WHEREAS, Article 2, Section 11 of the same states "The State values the dignity of every human person and guarantees full respect for human rights";

WHEREAS, Article 2, Section 27 of the same states "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption";

WHEREAS, the *Philippine Daily Inquirer* in its 18 September 2008 issue reported that a wrong suspect was allegedly killed in a shootout;

WHEREAS, it was reported that the Volunteers Against Crime and Corruption (VACC) Wednesday criticized the police for killing the wrong suspect in the case of Tara Santelices, an Ateneo graduate who has been in a coma since she was shot in the head during a robbery incident on 6 August 2008;

WHEREAS, VACC founding chair Dante Jimenez allegedly told reporters that because the police consider the case closed, no one will ever be able to identify and capture the real gunman because the police "always use the shortcut method";

WHEREAS, according to the police, the suspect, Orlando del Rosario has been under police surveillance days before the encounter and that he shot first, prompting the police to take action;

WHEREAS, Santelices' father, however, allegedly denied that the suspect killed was the one who shot his daughter since he accompanied one of the witnesses in the case to the morgue to identify the suspect. He allegedly said that the two witness sketches do not resemble the suspect, and this was confirmed by the witness;

WHEREAS, it was reported that despite this, Santelices did not want to complain to the police since he simply wants them to continue the investigation to find the man who shot his daughter. Yet, in contrast, Supt. Ireneo Dordas, Rizal provincial police chief, said that as far as they were concerned, the case is closed because they already did their work on this and that the witness, Joyce Elaine Mejias, Santelices' friend, who was

with her on the day the robbery occurred, positively identified the suspect. He also alleged that those who criticized the results of the investigation did not have firsthand knowledge of the case;

WHEREAS, the State by all means must ensure that justice is served by capturing and putting into justice the real perpetrators of a crime. Law enforcers should be stopped from arresting, capturing or killing sacrificial lambs, who are usually poor individuals, that will make them appear that they are doing their jobs;

WHEREAS, to ensure that justice is served, a law must be drafted requiring law enforcers to close a case only until after a witness, if there is one, has properly identified the suspect, and after there has been no contention as to the identity of the suspect by relatives of the victim, even after the suspect has been killed;

WHEREAS, even if no complaint has been formally filed by the victim's kin, the court or the proper agency, should ascertain that the policemen handling the case did not commit an error in identifying the suspect. Instead of the kin's victim filing an appeal to the Department of Justice for the reopening of the case, immediate measures should be drafted to carry out justice and also to reduce red tape;

WHEREFORE, be it hereby resolved by the Philippine Senate to direct the proper Senate Committee to conduct an inquiry in aid of legislation, on the alleged practice of killing sacrificial lamb suspects by law enforcers to immediately close a case despite contention by the victim's family and other witnesses.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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